

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1798

IN THE MATTER OF:

Served January 20, 1978

Investigation of Compliance by)
SUBURBAN TRANSIT COMPANY with)
Certificate No. 29 and the Compact,)
Rules, Regulations, and Orders of)
the Commission)

Docket No. 317

Application of SUBURBAN TRANSIT)
COMPANY for Temporary Authority to)
Perform Regular-Route Operations-)
Capital Centre)

Application No. 1027

Consolidated Docket No. 405

Application of SUBURBAN TRANSIT)
COMPANY for Certificate of Public)
Convenience and Necessity to)
Perform Regular-Route Operations-)
Capital Centre)

Application No. 1028

Consolidated Docket No. 405

By Application Nos. 1027 and 1028, filed November 28 and December 7, 1977, respectively, as supplemented, Suburban Transit Company (Suburban) seeks temporary authority and a certificate of public convenience and necessity, pursuant to the Compact, Title II, Article XII, Sections 4(d)(3) and 4(b), respectively, to perform regular-route operations from Arlington, Va., and Rockville, Md., to the Capital Centre, Largo, Md., and return, serving all intermediate points, over the following routes:

- (1) From junction Arlington Boulevard and Patrick Henry Drive, Arlington, Va.; thence over Arlington Boulevard (Route 50 North) to junction Court House Road; thence over Court House Road to junction 16th Street; thence over 16th Street to junction 17th Street; thence over 17th Street to junction Oak Street; thence over Oak Street to junction Key Boulevard; thence over Key Boulevard to junction Lynn Street; thence over Lynn Street to Key Bridge; thence over Key Bridge to junction M Street, N. W., Washington, D. C.; thence over M Street N. W., to junction Pennsylvania Avenue, N. W.; thence over Pennsylvania

Avenue, N. W., to junction K Street, N. W.; thence over K Street, N. W., to junction 11th Street, N. W.; thence over 11th Street, N. W., to junction E Street N. W.; thence over E Street N. W., to junction Massachusetts Avenue, N. E.; thence over Massachusetts Avenue, N. E., to junction First Street, N. E.; thence over First Street, N. E., to junction Independence Avenue, S. E.; thence over Independence Avenue, S. E., to junction Pennsylvania Avenue, S. E.; thence over Pennsylvania Avenue, S. E., to junction Capital Beltway; thence over the Capital Beltway to Capital Centre, Largo, Md. and return over the same route.

- (2) From 300 Block of Hungerford Drive, Rockville, Md., to junction Viers Mill Road; thence over Viers Mill Road to junction University Boulevard; thence over University Boulevard to junction Campus Drive; thence over Campus Drive to junction Baltimore Avenue (U. S. Highway 1); thence over Baltimore Avenue to junction Greenbelt Road; thence over Greenbelt Road to junction Baltimore Washington Parkway; thence over Baltimore Washington Parkway to junction Capital Beltway; thence over Capital Beltway to Capital Center, Largo, Md., and return over same route.

Suburban proposes to transport passengers and baggage, mail and express, on vehicles with passengers, over the above-described routes in two buses at scheduled times. Suburban proposes a round-trip or one-way charge of \$3.00 per person.

Title II, Article XII, Section 4(d)(3) of the Compact authorizes the Commission to grant temporary authority, with or without hearing and in its discretion, to enable the provision of a service for which there is an immediate and urgent need, and where there is no carrier service capable of meeting such need. The Commission believes that Suburban has not submitted sufficient evidence for us to make a determination on its application for temporary authority. Accordingly, Application No. 1027 shall be scheduled for public hearing.

Title II, Article XII, Section 4(b) of the Compact provides that an application for a certificate of public convenience and necessity may be granted "after hearing held upon reasonable notice." The Commission shall, therefore, schedule a public hearing on Application No. 1028.

By Order No. 1757, served October 14, 1977, and incorporated herein by reference, the Commission scheduled the above-referenced investigation for public hearing to commence Wednesday, December 14, 1977. By Order

No. 1779, served December 12, 1977, said investigation was postponed until further order by the Commission. The Commission now shall schedule a public hearing in Docket No. 317 on a consolidated basis with Application Nos. 1027 and 1028.

Suburban will be assessed an amount preliminarily estimated to cover the cost of the hearing in accordance with Title II, Article XII, Section 19 of the Compact.

THEREFORE, IT IS ORDERED:

1. That Application Nos. 1027 and 1028, of Suburban Transit Company for temporary authority and a certificate of public convenience and necessity, and the above-referenced Docket No. 317, be, and they are hereby, scheduled for public hearing to commence at 1:00 p.m., Wednesday, February 15, 1978, in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

2. That Suburban Transit Company be, and it is hereby, directed to publish once, in a newspaper of general circulation in the Metropolitan District, notice of Application Nos. 1027 and 1028, in the form prescribed by the staff of the Commission, no later than Thursday, January 26, 1978.

3. That Suburban Transit Company be, and it is hereby, directed to post in each of its vehicles, continuously through the date of the public hearing, notice of said applications and hearing in the form prescribed by the staff of the Commission no later than Thursday, January 26, 1978.

4. That Suburban Transit Company be, and it is hereby, directed to produce at the hearing affidavits of said publication and posting.

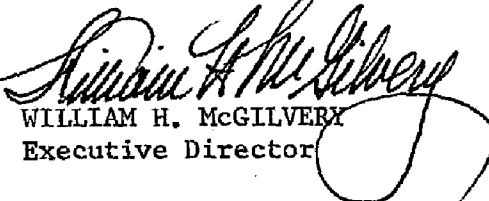
5. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard in this matter shall so notify the Commission, in writing, no later than Monday, February 6, 1978, and shall mail a copy of said protest or notice to Posie J. Preston, Jr., President, Suburban Transit Company, 1778 Lang Place, N. E., Washington, D. C. 20002.

6. That Suburban Transit Company be, and it is hereby, directed to file with the Commission six copies of a projected revenue and revenue deductions statement for the proposed service, the original to be produced at the above-scheduled public hearing, no later than 12 noon, Friday, February 10, 1978, and to serve a copy thereof on each party of record as of February 6, 1978.

7. That Suburban Transit Company be, and it is hereby, assessed \$250 pursuant to Title II, Article XII, Section 19 of the Compact, and directed to deliver said amount to the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than 12 noon, Monday, February 6, 1978.

8. That unless timely compliance is made with the mandates of paragraphs 2, 3, 6, and 7, above, Application Nos. 1027 and 1028 shall stand rejected in their entirety effective upon expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVER
Executive Director